

PNB 6/22/11

Peter Brinton - RE: NOI - on second thought...

From: Boyd Brothersen <brothers44@live.com>
To: <peterbrinton@utah.gov>
Date: 6/22/2011 3:10 PM
Subject: RE: NOI - on second thought...

*Boyd's indication that
he is mailing a letter*

Sorry about being so slow in the reply, Just opened your mail today (can't figure out why i can't get it to reproduce on paper), been cutting hay for two days and just haven't been home. I will begin immediately to respond and I can't remember where I put the original documents, I know have them somewhere.

I do have an actual map taken by the USGS on May 27, 2010, of my farm, it shows the absolute destruction that has taken place. By May 2010 I was just wondering what to do, I'm not sure but I think that was about the time when I met Paul Baker, John Rogers, and Lynn Kunz for the first time. I would hope they can remember the mountains of dirt and rocks that were there then.

Anyway I have received your email and presently working on the needed NOI application, would please help me by giving me some direction as to what i need to be changed in the application. I will get the other letter in the mail by tonight.

Date: Mon, 20 Jun 2011 17:46:56 -0600
From: peterbrinton@utah.gov
To: brothers@cut.net
Subject: NOI - on second thought...

Hi Boyd,

Sorry about the late email.

Here are two thing you should do:

- 1) Mail us your current NOI form that you faxed us, as is (the plan you faxed to us with your map - I don't have one ready to give you right now, but that's OK)
- 2) Send us an additional letter which includes the following:
 - That you currently have no plans to mine at the site (per our phone conversation today).
 - Why you don't currently plan to mine (you told me you lost a potential contract).
 - That you have never mined and sold rock from outside of the disturbance that Todd Wilhite or Kenny Bledsoe created, if this is correct. (If you did mine outside Todd or Kenny's area, you will be responsible for the additional mining disturbance created.)
 - Tell us your intent to allow Todd Wilhite back on your property to allow him to reclaim his disturbance on the site.
 - Any conditions that you want place on reclamation by Todd Wilhite (must be reasonable and fit with our rules).
 - Sign the letter.

If you decide you want to mine in the future, you will need to correct some errors in the plan as it currently is and post a bond, but by submitting it now, whether you mine or not, I think it will help move the process towards a resolution.

Give me a call if you have questions. Send me an email to confirm you received this email, and this will let us know you are working on getting this to us.

Thanks.

Peter

Peter Brinton
Environmental Scientist/Engineer II
Utah Division of Oil, Gas & Mining
Office Phone: 801-538-5258